

**AMENDMENTS TO THE CLAIMS:**

**Listing of Claims**

The following listing of claims replaces all prior listings of claims in this application:

1-96. (Cancelled)

97. (Currently amended) An apparatus for measuring progress and time of completion of an assay in an assay device ~~for an analyte~~, comprising:

- (a) said ~~[[an]]~~ assay device comprising~~[[:]]~~
  - ~~[[i)]]~~ a reaction chamber ~~comprising an optically detectable label~~, and
  - ~~[[ii)]]~~ at least one diagnostic lane, wherein a label is provided in said reaction chamber; ~~comprising at least one assay zone configured to bind said analyte and at least one timing zone separate from the assay zone, wherein said diagnostic lane is in fluid communication with said reaction chamber, and wherein, when fluid is added to said reaction chamber, said detectable label flows with said fluid to said at least one diagnostic lane to contact said at least one timing zone;~~
- (b) an optical component ~~configured to detect an optical~~ for detecting a signal generated from said label in ~~[[said]]~~ at least one discrete zone of said diagnostic lane timing zone ~~and generate an electronic signal in response~~; and
- (c) a signal processor ~~configured to receive said electronic signal and to determine~~ for determining said progress and time of completion of said assay ~~for said analyte~~ in said assay device from at least one parameter selected from the group consisting of a rate of change of the amount of said ~~electronic~~ signal and an absolute amount of said ~~electronic~~ signal;

wherein the label does not appreciably bind to assay reagents in said assay device.

~~is attached to a first member of a binding pair that binds to a second member of the binding pair that is bound to said at least one timing zone of said at least one diagnostic lane.~~

98-104. (Cancelled)

105. (Previously presented) A kit for measuring progress and time of completion of an assay in an assay device~~for an analyte~~, comprising:

- (a) ~~at least one set of instructions comprising text or diagrams about the apparatus and/or kit for measuring said progress and time of completion;~~ and
- (b) an apparatus ~~for measuring progress and time of completion of an assay for an analyte~~, comprising:
  - (i) ~~[[an]]~~ said assay device comprising~~[[:]]~~  
a reaction chamber ~~comprising an optically detectable label~~, and  
at least one diagnostic lane, wherein a label is provided in said reaction chamber; ~~comprising at least one assay zone configured to bind said analyte and at least one timing zone separate from the assay zone,~~  
~~wherein said diagnostic lane is in fluid communication with said reaction chamber, and wherein, when fluid is added to said reaction chamber, said detectable label flows with said fluid to said at least one diagnostic lane to contact said at least one timing zone;~~
  - (ii) an optical component ~~configured to detect an optical~~ for detecting a signal generated from said label in ~~[[said]]~~ at least one discrete zone of said diagnostic lane; ~~timing zone and generate an electronic signal in response;~~ and
  - (iii) a signal processor ~~configured to receive said electronic signal and to determine~~ for determining said progress and time of completion of said assay ~~for said analyte~~ in said assay device from at least one parameter selected from the group consisting of a rate of change of the amount of said ~~electronic~~ signal and an absolute amount of said ~~electronic~~ signal;  
wherein the label does not appreciably bind to assay reagents in said assay device. ~~is attached to a first member of a binding pair that binds to a second member of the binding pair that is bound to said at least one timing zone of said at least one diagnostic lane.~~

106-118. (Cancelled)

119. (Currently amended) An apparatus for measuring progress and time of completion of an assay in an assay device ~~for an analyte~~, comprising:

- (a) said ~~[[an]]~~ assay device comprising~~[[:]]~~
  - ~~[[i)]~~ a reaction chamber, and
  - ~~[[ii)]~~ at least one diagnostic lane, ~~comprising at least one assay zone configured to bind said analyte and at least one timing zone separate from the assay zone,~~ wherein said diagnostic lane is in fluid communication with said reaction chamber, ~~and wherein,~~ when fluid and a detectable label are added to said reaction chamber, ~~said detectable label flows with said fluid to said at least one diagnostic lane to contact said at least one timing zone;~~
- (b) an optical component ~~configured to detect an optical~~ for detecting a signal generated from said label in ~~[[said]]~~ at least one discrete zone of said diagnostic lane ~~timing zone and generate an electronic signal in response;~~ and
- (c) a signal processor ~~configured to receive said electronic signal and to determine for~~ determining said progress and time of completion of said assay ~~for said analyte~~ in said assay device from at least one parameter selected from the group consisting of a rate of change of the amount of said ~~electronic~~ signal and an absolute amount of said ~~electronic~~ signal;

wherein the label does not appreciably bind to assay reagents in said assay device.  
~~is attached to a first member of a binding pair that binds to a second member of the binding pair that is bound to said at least one timing zone of said at least one diagnostic lane.~~

120-128. (Cancelled)

129. (New) The apparatus of claim 97, wherein said label is linked to a member of a binding pair.

130. (New) The apparatus of claim 129, wherein the member of a binding pair is selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

131. (New) The apparatus of claim 97, wherein said assay reagents are selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

132. (New) The apparatus of claim 97, wherein said label is selected from the group of molecules consisting of dye, fluorescence emitting dye, chemiluminescence emitting dye, infrared emitting dye, colloidal sol, molecule that generates an electrical and/or magnetic signal, and enzyme.

133. (New) The kit of claim 105, wherein said label is linked to a member of a binding pair.

134. (New) The kit of claim 133, wherein the member of a binding pair is selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

135. (New) The kit of claim 105, wherein said label is selected from the group of molecules consisting of dye, fluorescence emitting dye, chemiluminescence emitting dye, infrared emitting dye, colloidal sol, molecule that generates an electrical and/or magnetic signal, and enzyme.

136. (New) The kit of claim 105, wherein said assay reagents are selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

137. (New) The apparatus of claim 119, wherein said label is linked to a member of a binding pair.

138. (New) The apparatus of claim 137, wherein the member of a binding pair is selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.

139. (New) The apparatus of claim 119, wherein said label is selected from the group of molecules consisting of dye, fluorescence emitting dye, chemiluminescence emitting dye, infrared emitting dye, colloidal sol, molecule that generates an electrical and/or magnetic signal, and enzyme.

140. (New) The apparatus of claim 119, wherein said assay reagents are selected from the group consisting of binding protein, antibody, antibody fragment, protein, peptide, and organic molecule.